

SENATE BILL 293

F1

(2lr0725)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Ways and Means* —

Introduced by **Senators Miller, Kittleman, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Montgomery, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Shank, Stone, Young, and Zirkin**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Education – Core Content Areas – Accountability Program**

3 FOR the purpose of requiring the State Board of Education and the State
4 Superintendent of Schools to assist each county board of education to establish
5 certain goals and objectives that conform with certain objectives for subject
6 areas that include science and social studies; requiring each public school to
7 survey current student achievement in science and social studies; requiring the
8 State Board and the State Superintendent to ~~design and~~ implement certain
9 assessment programs in certain subjects and requiring the ~~social studies~~
10 assessment ~~program~~ programs to provide certain information and feedback;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 requiring certain grade band assessments and end-of-course assessments to be
 2 ~~established, implemented,~~ implemented and administered annually at certain
 3 levels by a certain school year; requiring the State Department of Education to
 4 conduct a certain statewide survey of public schools and public school teachers;
 5 requiring the Department to compile and publish the survey results on the
 6 Department's Web site; requiring county boards of education to include certain
 7 information in the boards' comprehensive master plans and updates to the
 8 plans; requiring the State Board to develop and implement certain
 9 State-specific assessments by a certain school year if certain determinations are
 10 made regarding certain middle school and high school level assessments;
 11 requiring the Governor to include a certain appropriation in the fiscal year 2014
 12 State budget bill if a certain amount of funding to administer a certain
 13 Maryland high school assessment is not provided in the fiscal year 2013 State
 14 budget bill; prohibiting implementation of certain provisions of this Act under
 15 certain circumstances; defining a certain term; and generally relating to an
 16 education accountability program for certain core content areas.

17 BY repealing and reenacting, without amendments,
 18 Article – Education
 19 Section 5-401(a) and (b)(1)
 20 Annotated Code of Maryland
 21 (2008 Replacement Volume and 2011 Supplement)

22 BY repealing and reenacting, with amendments,
 23 Article – Education
 24 Section 5-401(c) and 7-203
 25 Annotated Code of Maryland
 26 (2008 Replacement Volume and 2011 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 28 MARYLAND, That the Laws of Maryland read as follows:

29 **Article – Education**

30 5-401.

31 (a) (1) In this section the following words have the meanings indicated.

32 (2) “Local performance standards” means standards for student and
 33 school performance developed by a county board.

34 (3) “Plan” means a comprehensive master plan.

35 (4) “State performance standards” means standards for student and
 36 school performance approved by the State Board.

1 (5) “Update” means an annual update to a county board’s
2 comprehensive master plan.

3 (b) (1) Each county board shall develop and implement a comprehensive
4 master plan that describes the goals, objectives, and strategies that will be used to
5 improve student achievement and meet State performance standards and local
6 performance standards in each segment of the student population.

7 (c) The plan or update shall include:

8 (1) Goals and objectives as required under subsections (d) through (f)
9 of this section that are aligned with State performance standards and local
10 performance standards;

11 (2) Implementation strategies for meeting goals and objectives;

12 (3) Methods for measuring progress toward meeting goals and
13 objectives;

14 (4) Time lines for implementation of the strategies for meeting goals
15 and objectives;

16 (5) Time lines for meeting goals and objectives;

17 (6) A description of the alignment of the county board’s budget with
18 goals, objectives, and strategies for improving student achievement;

19 (7) The impact of the proposed goals, objectives, and implementation
20 strategies on public school facilities and capital improvements that may be needed to
21 implement the plan or update; [and]

22 **(8) A DESCRIPTION OF HOW THE COUNTY BOARD PLANS TO**
23 **ENSURE AND MEASURE THE ACADEMIC PROFICIENCY OF STUDENTS IN THE**
24 **CORE ACADEMIC SUBJECTS LISTED IN § 7–203 OF THIS ARTICLE AT VARIOUS**
25 **POINTS DURING THE ELEMENTARY AND SECONDARY EDUCATION OF THE**
26 **STUDENTS; AND**

27 **[(8)] (9)** Any other information required by the State
28 Superintendent.

29 7–203.

30 (a) The State Board, the State Superintendent, each county board, and each
31 public school shall implement a program of education accountability for the operation
32 and management of the public schools.

1 (b) **(1)** IN THIS SUBSECTION, “GRADE BAND ASSESSMENT” MEANS
 2 ONE ASSESSMENT OF A MIDDLE SCHOOL STUDENT’S KNOWLEDGE IN A CORE
 3 ACADEMIC SUBJECT AREA DURING GRADES 6 THROUGH 8.

4 **(2)** The education accountability program shall include the following:

5 ~~(1)~~ **(I)** The State Board and the State Superintendent shall assist
 6 each county board to establish educational goals and objectives that conform with
 7 statewide educational objectives for subject areas including reading, writing, [and]
 8 mathematics, **SCIENCE, AND SOCIAL STUDIES**;

9 ~~(2)~~ **(II)** With the assistance of its county board, each public school
 10 shall survey current student achievement in reading, language, mathematics,
 11 **SCIENCE, SOCIAL STUDIES**, and other areas to assess its needs;

12 ~~(3)~~ **(III)** ~~(1)~~ **1. THE STATE BOARD AND THE STATE**
 13 **SUPERINTENDENT SHALL DESIGN AND IMPLEMENT ASSESSMENT PROGRAMS IN**
 14 **READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES THAT**
 15 **INCLUDE WRITTEN RESPONSES;**

16 ~~(H)~~ **2. THE ~~SOCIAL STUDIES~~ ASSESSMENT PROGRAM**
 17 **REQUIRED IN THIS SUBSECTION SHALL:**

18 ~~1.~~ **A. PROVIDE INFORMATION NEEDED TO IMPROVE**
 19 **PUBLIC SCHOOLS BY ENHANCING THE LEARNING GAINS OF STUDENTS AND**
 20 **ACADEMIC MASTERY OF THE SKILLS AND KNOWLEDGE SET FORTH IN THE**
 21 **STATE’S ADOPTED ~~SOCIAL STUDIES~~ CURRICULA AS DELINEATED OR COMMON**
 22 **CORE CURRICULA; AND**

23 ~~2.~~ **B. INFORM THE PUBLIC ANNUALLY OF THE**
 24 **EDUCATIONAL PROGRESS MADE ~~IN SOCIAL STUDIES~~ AT THE SCHOOL, LOCAL**
 25 **SCHOOL SYSTEM, AND STATE LEVELS; AND**

26 **C. PROVIDE TIMELY FEEDBACK TO SCHOOLS AND**
 27 **TEACHERS FOR THE PURPOSES OF ADAPTING THE INSTRUCTIONAL PROGRAM**
 28 **AND MAKING PLACEMENT DECISIONS FOR STUDENTS; AND**

29 ~~(H)~~ **3. BEGINNING IN THE 2014–2015 SCHOOL YEAR,**
 30 **THE FOLLOWING ASSESSMENTS SHALL BE ~~ESTABLISHED, IMPLEMENTED,~~**
 31 **IMPLEMENTED AND ADMINISTERED ANNUALLY:**

32 ~~1.~~ **AT THE ~~ELEMENTARY AND MIDDLE SCHOOL~~**
 33 **~~LEVELS, A STATEWIDE, COMPREHENSIVE, GRADE BAND ASSESSMENT PROGRAM~~**
 34 **~~THAT MEASURES THE LEARNING GAINS OF EACH PUBLIC SCHOOL STUDENT~~**

~~TOWARDS ACHIEVING MASTERY OF THE STANDARDS SET FORTH IN THE STATE'S
ADOPTED SOCIAL STUDIES CURRICULA; AND~~

A. AT THE MIDDLE SCHOOL LEVEL, A STATEWIDE,
COMPREHENSIVE, GRADE BAND ASSESSMENT PROGRAM THAT MEASURES THE
LEARNING GAINS OF EACH PUBLIC SCHOOL STUDENT TOWARDS ACHIEVING
MASTERY OF THE STANDARDS SET FORTH IN THE COMMON CORE CURRICULA
OR THE STATE'S ADOPTED CURRICULA FOR THE CORE CONTENT AREAS OF
READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES; AND

~~2. B. AT THE HIGH SCHOOL LEVEL, A STATEWIDE,
STANDARDIZED, END-OF-COURSE ASSESSMENT THAT IS ALIGNED WITH AND
THAT MEASURES EACH PUBLIC SCHOOL STUDENT'S SKILLS AND KNOWLEDGE OF
THE STATE'S ADOPTED GOVERNMENT CURRICULA CURRICULA FOR THE CORE
CONTENT AREAS OF READING, LANGUAGE, MATHEMATICS, SCIENCE, AND
SOCIAL STUDIES;~~

[(3)] ~~(4)~~ (IV) Each public school shall establish as the basis for its
assessment of its needs, project goals and objectives that are in keeping with the goals
and objectives established by its county board and the State Board;

[(4)] ~~(5)~~ (V) With the assistance of its county board, the State
Board, and the State Superintendent, each public school shall develop programs to
meet its needs on the basis of the priorities it sets;

[(5)] ~~(6)~~ (VI) Evaluation programs shall be developed at the same
time to determine if the goals and objectives are being met; and

[(6)] ~~(7)~~ (VII) A reevaluation of programs, goals, and objectives shall
be undertaken regularly.

(3) (I) AFTER THE 2014-2015 SCHOOL YEAR, THE STATE
BOARD SHALL DETERMINE WHETHER THE ASSESSMENTS AT THE MIDDLE
SCHOOL AND HIGH SCHOOL LEVELS REQUIRED UNDER PARAGRAPH (2)(III)3 OF
THIS SUBSECTION ADEQUATELY MEASURE THE SKILLS AND KNOWLEDGE SET
FORTH IN THE STATE'S ADOPTED CURRICULA FOR THE CORE CONTENT AREAS
OF READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES.

(II) IF THE STATE BOARD MAKES A DETERMINATION UNDER
SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT AN ASSESSMENT DOES NOT
ADEQUATELY MEASURE THE SKILLS AND KNOWLEDGE SET FORTH IN THE
STATE'S ADOPTED CURRICULA FOR A CORE CONTENT AREA, THE DEPARTMENT
SHALL DEVELOP A STATE-SPECIFIC ASSESSMENT IN THAT CORE CONTENT AREA
TO BE IMPLEMENTED IN THE 2016-2017 SCHOOL YEAR.

1 (c) National standardized testing may not be the only measure for
2 evaluating educational accountability.

3 (d) The Department shall assist each county board to establish an education
4 accountability program by providing:

5 (1) Guidelines for development and implementation of the program by
6 the county boards; and

7 (2) Assistance and coordination where it is needed and requested by
8 the county boards.

9 **(E) (1) THE DEPARTMENT SHALL SURVEY A STATEWIDE,**
10 **REPRESENTATIVE SAMPLE OF PUBLIC SCHOOLS AND PUBLIC SCHOOL TEACHERS**
11 **ANNUALLY TO MEASURE:**

12 **(I) THE AMOUNT OF INSTRUCTIONAL TIME SPENT ON**
13 **SOCIAL STUDIES AND SCIENCE INSTRUCTION IN ELEMENTARY SCHOOLS;**

14 **(II) THE AVAILABILITY AND USE OF APPROPRIATE**
15 **INSTRUCTIONAL RESOURCES AND TEACHING TECHNOLOGY IN SOCIAL STUDIES**
16 **AND SCIENCE CLASSROOMS;**

17 **(III) THE AVAILABILITY AND USE OF APPROPRIATE**
18 **PROFESSIONAL DEVELOPMENT FOR SOCIAL STUDIES AND SCIENCE TEACHERS;**
19 **AND**

20 **(IV) THE NUMBER OF SECONDARY SCHOOL SOCIAL STUDIES**
21 **AND SCIENCE CLASSES THAT ARE TAUGHT BY TEACHERS WHO ARE:**

22 **1. CERTIFIED IN THE SUBJECT BEING TAUGHT; AND**

23 **2. NOT CERTIFIED IN THE SUBJECT BEING TAUGHT.**

24 **(2) THE DEPARTMENT SHALL:**

25 **(I) COMPILE THE RESULTS OF THE SURVEY CONDUCTED**
26 **UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND**

27 **(II) PUBLISH THE RESULTS ON THE DEPARTMENT'S WEB**
28 **SITE.**

1 ~~(F)~~ (F) The State Superintendent shall send the Governor and, subject to §
2 2–1246 of the State Government Article, the General Assembly a report each January
3 that includes:

4 (1) Documentation of the progress of the Department, the county
5 boards, and each public school in this State towards their respective goals and
6 objectives; and

7 (2) Recommendations for legislation that the State Board and the
8 State Superintendent consider necessary to improve the quality of education in this
9 State.

10 ~~(G)~~ (G) On the recommendation of the State Superintendent, the State
11 Board shall include in its annual budget request the funds it considers necessary to
12 carry out the provisions of this section.

13 SECTION 2. AND BE IT FURTHER ENACTED, That if funding is not provided
14 in the fiscal year 2013 State budget bill (Chapter ____ (S.B. 150) of the Acts of the
15 General Assembly of 2012) in an amount sufficient to administer the Maryland high
16 school assessment for government to meet the requirements of this Act, the Governor
17 shall include an appropriation in the fiscal year 2014 State budget bill in an amount
18 sufficient to administer the Maryland high school assessment for government to meet
19 the requirements of this Act.

20 SECTION 3. AND BE IT FURTHER ENACTED, That notwithstanding §
21 7–203(b) of the Education Article, as enacted by Section 1 of this Act, if the State
22 Board of Education has not adopted an assessment to measure the common core
23 curricula before July 30, 2014, then the requirements of § 7–203(b)(2)(iii)3A and (3)(i)
24 for middle school assessments, as enacted by Section 1 of this Act, may not be
25 implemented until the first day of school in the school year that follows the adoption of
26 an assessment to measure the common core curricula by the State Board.

27 ~~SECTION 4.~~ SECTION ~~3.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take
28 effect July 1, 2012.